

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS

In re:

WESTBOROUGH SPE LLC

Debtor

)  
) Chapter 7, No. 23-40709  
)  
)  
)  
)  
)  
)

**ASSENTED TO MOTION TO CONTINUE HEARING ON THE TOWN  
OF WESTBOROUGH'S MOTION FOR RELIEF FROM AUTOMATIC STAY**

Now come JONATHAN R. GOLDSMITH, the duly appointed, qualified and acting Trustee in the above-captioned case ("Trustee") and the TOWN OF WESTBOROUGH (the "Town), through its undersigned counsel, and respectfully move this Honorable Court for an Order continuing the hearing on the Town of Westborough's Motion for Relief from Automatic Stay **currently scheduled telephonically for Wednesday, October 25, 2023 at 2:30 p.m.** for thirty (30) days or to a date that is convenient to the Court.

As grounds therefore, the Trustee and counsel for the Town request the continuance of the hearing to enable the Trustee to conduct the 341 Meeting, allow him time to analyze the Debtor's dispute with the Town and, if appropriate, seek the employment of special counsel to assist the Trustee in the matter.

In light of this request, the Trustee hereby withdraws his Limited Objection filed earlier today (Doc. No. 43) to the extent he seeks to deny the Town's motion without further response from the Trustee and to the extent he requests an extension of time beyond the 30 days requested herein, while reserving the right to file a more substantive response to the Town's motion within the time allowed by the requested extension.

WHEREFORE, the Trustee and the Town respectfully request that the Court allow this Motion and continue the hearing presently scheduled for Wednesday, October 25, 2023 at 2:30

p.m. until Wednesday, November 29, 2023, or until such other time and date as is convenient for the Court.

JONATHAN R. GOLDSMITH, TRUSTEE IN  
BANKRUPTCY FOR WESTBOROUGH SPE  
LLC

Dated: October 24, 2023

By: /s/ Jonathan R. Goldsmith, Esq.  
JONATHAN R. GOLDSMITH, ESQ.  
(BBO No. 548285)  
GOLDSMITH, KATZ & ARGENIO, P.C.  
1350 Main Street, 15th Floor  
Springfield, MA 01103  
Tel: (413) 747-0700  
Email: jgoldsmith@gkalawfirm.com

TOWN OF WESTBOROUGH  
By its attorneys,

Dated: 10/24/23

By: /s/ Roger L. Smerage, Esq.  
Brian W. Riley (BBO# 555385)  
Jeffrey T. Blake (BBO# 655773)  
Roger L. Smerage (BBO# 675388)  
KP Law, P.C.  
Town Counsel  
101 Arch Street, 12th Floor  
Boston, MA 02110-1109  
(617) 556-0007  
briley@k-plaw.com  
jblake@k-plaw.com  
rsmerage@k-plaw.com

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**CERTIFICATE OF SERVICE**

I, JONATHAN R. GOLDSMITH, ESQ., of GOLDSMITH, KATZ & ARGENIO, P.C., 1350 Main Street, 15th Floor, Springfield, MA 01103, do hereby certify that I served a copy of the within Joint Motion to Continue hearing upon those parties listed below by electronic mail or by mailing, first class mail, postage prepaid, on this 24<sup>th</sup> day of October, 2023:

Stephen F. Gordon, Esq.  
The Gordon Law Firm, LLP  
River Place  
57 River Street  
Wellesley, MA 02481

Richard King, Esq.  
Office of the U.S. Trustee  
446 Main Street, 14<sup>th</sup> Floor  
Worcester, MA 01608

Westborough SPE, LLC  
c/o Lolonyon Akouete  
1241 Deer Park Ave., Suite 1, #1051  
North Babylon, NY 11703

Scott A. Schlager, Esq.  
Nathanson & Goldberg, P.C.  
183 State Street, 5<sup>th</sup> Floor  
Boston, MA 02109

Roger L. Smerage, Esq.  
KP Law, P.C.  
101 Arch Street, 12<sup>th</sup> Floor  
Boston, MA 02110-1109

/s/ Jonathan R. Goldsmith, Esq.  
JONATHAN R. GOLDSMITH, ESQ.